

## Executive Summary

### Policy Guidance

- a. JTF-SAPR-001. Under Secretary of Defense for Personnel and Readiness Memorandum, "Collateral Misconduct in Sexual Assault Cases," November 12, 2004.

This memorandum provides guidance for addressing a victim's collateral misconduct that may be associated with a reported sexual assault. Unit Commanders have the authority to determine how best to dispose of the alleged misconduct. By deferring disposition of a victim's collateral misconduct, a commander will remove a significant barrier for victims in reporting incidents of sexual assault. Each Service is tasked with establishing Service-specific guidance for ensuring collateral misconduct by a victim, including underage drinking or other related alcohol offenses, adultery, fraternization, or other violations of certain regulations or orders, is addressed in a manner that is consistent and appropriate to the circumstances, and at a time that encourages continued victim cooperation.

- b. JTF-SAPR-002. Under Secretary of Defense for Personnel and Readiness Memorandum, "Increased Victim Support and A Better Accounting of Sexual Assault Cases," November 22, 2004.

This memorandum establishes guidance for providing enhanced response to Service member victims of sexual assault. Services are tasked with developing appropriate guidelines to ensure that all reported sexual assault incidents are appropriately investigated and disposed of in accordance with the UCMJ, and unit Commanders will ensure that victims receive monthly updates regarding the status of his/her case until final disposition. In order to improve accountability, all Services shall designate a level of Command commensurate with maturity and experience to ensure that all sexual assault cases receive the consistent and appropriate level of Command attention.

- c. JTF-SAPR-003. Under Secretary of Defense for Personnel and Readiness Memorandum, "Data Call for CY04 Sexual Assaults," November 22, 2004.

This memorandum tasked the Services with providing the DoD with necessary data on sexual assault incidents during CY04. This data call is the basis for quarterly and annual reports until the DIBRS system is fully implemented to include the data fields necessary for comprehensive reporting.

- d. JTF-SAPR-004. Under Secretary of Defense for Personnel and Readiness Memorandum, "Review of Administrative Separation Actions Involving Victims of Sexual Assault," November 22, 2004.

This memorandum requires that Services identify a proposed level of Command, commensurate with maturity and experience needed, to review all administrative separation actions involving victims of sexual assault and to exercise the responsibilities involved. When considering administrative separations, all victims of sexual assault are entitled to full and fair consideration of the victim's military service and particular separation, and all such separation actions must be consistent and appropriate.

- e. JTF-SAPR-005. Secretary of Defense for Personnel and Readiness Memorandum, "The Commander Checklist for Responding to Allegations of Sexual Assault," December 15, 2004.

The primary objective of the checklist is to provide the Command with guidelines for ensuring that the victim's physical safety, emotional security and medical needs are met, and that the appropriate criminal investigative service is notified. Specific guidance for Command in assistance victims of sexual assault is detailed, including the Command's responsibility for separating the victim from the offender, determining the need for a Military Protection Order (MPO), providing the victim with monthly updates on the status of his/her case, and determining how best to dispose of collateral misconduct.

- f. JTF-SAPR-006. Under Secretary of Defense for Personnel and Readiness Memorandum, "Department of Defense (DoD) Definition of Sexual Assault," December 13, 2004.

This memorandum establishes the DoD definition for sexual assault and other sex-related offenses. Sexual assault is defined as rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Services are tasked with using the above definition to fulfill training and education requirements.

- g. JTF-SAPR-007. Under Secretary of Defense for Personnel and Readiness Memorandum, "Training Standards for DoD Personnel on Sexual Assault Prevention and Response," December 13, 2004.

This memorandum establishes minimum baseline training requirements on sexual assault prevention and response for members of the Armed Forces. Services are tasked with implementing entry level training on sexual assault prevention and response, conducting annual sexual assault training, and incorporating sexual assault prevention and response training into all leadership develop and Professional Military Education (PME) programs.

- h. JTF-SAPR-008. Under Secretary of Defense for Personnel and Readiness Memorandum, "Response Capability for Sexual Assault," December 17, 2004.

This memorandum establishes policy for the response and support of sexual

assault in the military. Services are tasked with developing Service-specific policies that provide immediate response capability for each report of sexual assault in all locations, including deployed locations. The DTM establishes the SARC as "the center of gravity" and defines the responsibilities and relationship to the Command in ensuring victims of sexual assault receive timely and appropriate care. Training requirements and the monthly case reviews are discussed. The role of the victim advocate (VA) is outlined and Services are tasked with developing specific screening and qualification standards for advocates.

- i. JTF-SAPR-009. Deputy Secretary of Defense Memorandum, "Confidentiality Policy for Victims of Sexual Assault," March 16, 2005.

This memorandum establishes guidelines for confidential, restricted reporting by victims of sexual assault. The two types of reporting options are outlined, defined as restricted reporting and unrestricted reporting, and it is emphasized that DoD prefers complete reporting, or unrestricted reporting, in order to activate both victims' services and accountability actions. However, DoD also recognizes that complete reporting may represent a barrier for victims in gaining access to appropriate medical care, counseling, and victim advocacy, and therefore provides victims with the option of restricted reporting. The guidance provides the specifics associated with each type of reporting including the appropriate protocol for both types of reporting, the responsibilities of the first response groups in fulfilling the reporting requirements, and exceptions to restricted reporting.

- j. JTF-SAPR-010. Under Secretary of Defense for Personnel and Readiness Memorandum, "Collaboration with Civilian Authorities for Sexual Assault Victim Support," December 17, 2004.

This memorandum provides guidance for establishing liaisons and coordination between military and local civilian authorities with respect to sexual assault responses and the care of victims of sexual assault. Services are tasked with providing further direction regarding collaboration with military and civilian agencies to support victims, particularly with regards to ensuring victims receive appropriate medical care and counseling, and establishing Memorandum of Understanding (MOUs) with such agencies.

- k. JTF-SAPR-011. Under Secretary of Defense for Personnel and Readiness Memorandum, "Training Standards for Sexual Assault Training," December 17, 2004.

This memorandum establishes guidelines for providing baseline training standards to responders in sexual assault cases. The specifics of such standards is outlined in DTM JTF-SAPR-013.

- l.* JTF-SAPR-012. Under Secretary of Defense for Personnel and Readiness Memorandum, "Training Standards for Pre-Deployment Information on Sexual Assault and Response Training," December 13, 2004.

This memorandum establishes guidance for developing training standards on sexual assault prevention and response to be given to service members prior to deployment to foreign areas. The Services are tasked with developing regulations that require pre-deployment training, and such training should include information on risk reduction factors tailored to the specific deployment locations, the cultural customs and mores of coalition partners, procedures for reporting sexual assault incidents, and available support systems during deployment.

- m.* JTF-SAPR-013. Under Secretary of Defense for Personnel and Readiness Memorandum, "Essential Training Tasks for a Sexual Assault Response Capability," April 26, 2005.

This memorandum establishes guidelines for providing essential training tasks for all first response groups. Services are tasked with developing baseline initial and refresher training standards for all of the key first response groups including, victim advocates (VAs), SARCs, law enforcement, criminal investigators, healthcare providers, Judge Advocates (JA), and Chaplains.

- n.* JTF-SAPR-014. Under Secretary of Defense for Personnel and Readiness Memorandum, "Sexual Assault Evidence Collection and Preservation Under Restricted Reporting," June 30, 2005.

This memorandum establishes guidelines for the collection and preservation of sexual assault forensic evidence in cases where a victim selects restricted reporting. Services are tasked with designating a military agency to generate an alpha-numeric "Restricted Report Case Number" (RRCN), unique to each incident," that will be used in lieu of personal-identifying information to label and identify evidence collected from the SAFE (i.e., Sexual Assault Evidence Collection Kit). Evidence will be stored for one year from the report of the assault. The response protocol for sexual assault examinations under restricted reporting is also outlined.